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4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT TACOMA

7 JASON JAY VER VALEN,

8 Plaintiff,

9 v.

10 HELEN DONATACCI,

11 Defendant.

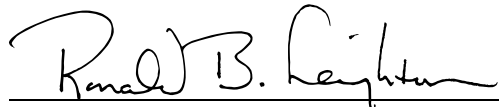
No. C11-5058 RBL/KLS

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

12 The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen  
13 L. Strombom, objections to the Report and Recommendation, if any, and the remaining record,  
14 does hereby find and **ORDER:**

- 15 1) The Court adopts the Report and Recommendation.
- 16 2) Defendant Donatacci's motion to dismiss (ECF No. 12) is **GRANTED** for  
17 Plaintiff's failure to exhaust administrative remedies and Plaintiff's claims against  
18 Defendant Donatacci are **DISMISSED WITHOUT PREJUDICE**.
- 19 3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for  
20 Defendant and to the Hon. Karen L. Strombom.

21 **DATED** this 24<sup>th</sup> day of August, 2011.

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24 RONALD B. LEIGHTON  
25 UNITED STATES DISTRICT JUDGE  
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